

June 3, 2022

VIA ECF

The Honorable Eric N. Vitaliano  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Rodriguez v. CPI Aerostructures, Inc.*,  
Case No. 1:20-cv-00982-ENV-CLP

Dear Judge Vitaliano:

We represent lead plaintiff Jeffrey L. Feinberg, individually and as trustee and beneficiary of the Jeffrey L. Feinberg Personal Trust (“Lead Plaintiff”), in this Action. We respectfully submit for the Court’s consideration the attached [Proposed] Order Granting Preliminary Approval Pursuant to Federal Rule of Civil Procedure 23(e)(1) and Permitting Notice to the Class (the “[Proposed] Preliminary Approval Order” or “Order”).

On May 27, 2022, the Court adopted in its entirety Magistrate Judge Cheryl L. Pollak’s Report & Recommendation and granted Lead Plaintiff’s Motion for Preliminary Approval. The [Proposed] Preliminary Approval Order provides the process and procedures for moving the Settlement towards final approval.

Among other things, the [Proposed] Preliminary Approval Order certifies the Settlement Class for settlement purposes only, approves the manner and timeline for providing notice of the settlement to the Settlement Class, and provides instructions and deadlines for objecting to the Settlement, requesting exclusion from the Settlement Class, and submitting Proof of Claim and Release forms. The Court is also requested to set a date and time for the Final Approval Hearing, at which time Lead Plaintiff will request that the Court grant final approval of the proposed Settlement and Plan of Allocation and award fees and expenses to Lead Plaintiff’s Counsel; the Court may also entertain any objections to the requested relief. Lead Plaintiff respectfully requests that the Court set the Final Approval Hearing for approximately 90 days from the date it enters the [Proposed] Preliminary Approval Order.<sup>1</sup>

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<sup>1</sup> If the Court approves the proposed briefing schedule set forth in the Order, briefs and declarations in support of Lead Plaintiff’s motions would be filed no later than 35 calendar days prior to the Final Approval Hearing, and reply materials would be filed no later than 7 calendar days prior to the Final Approval Hearing.

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Should the Court have any questions regarding the attached Order, we would be pleased to address them.

Respectfully submitted,

/s/ Alan I. Ellman

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cc: All Counsel of Record (via ECF)